

Comment on AOR 2012-19

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May 10, 2012

Anthony Herman, Esq.  
General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, DC 20463

**Re: Advisory Opinion Request 2012-19  
American Future Fund**

Dear Mr. Herman:

On behalf of Obama for America, I write to comment on Advisory Opinion Request 2012-19, submitted by American Future Fund. For the reasons stated, the Commission should reject this attempt to circumvent the ruling in *Van Hollen v. FEC*, No. 11-0766 (D.D.C. April 27, 2012), and to effectively eviscerate the disclosure requirements applicable to "electioneering communications" by outside groups.

Requestor seeks to avoid disclosure on the theory that it can somehow refer to federal candidates without "referring" to them. An electioneering communication requires, of course, a reference to a clearly identified candidate. See 2 U.S.C. § 434(f)(3)(A)(i)(I). With no reference, there would be no electioneering communication – and hence no disclosure.<sup>1</sup>

The following are among the communications that – Requestor suggests – do not refer to a clearly identified candidate:

- Advertisements referring to the "Administration" or "the White House," on the theory that they do not clearly refer to the President. (Request at 5, "Advertisement 1"; Request at 7, "Advertisement 5.")

<sup>1</sup> Moreover, there would be no potential coordinated communication, unless there were a reference to a political party. See 11 C.F.R. § 109.21(c).

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- An advertisement using the President's voice, on the theory that "[o]nly those familiar with President Obama's voice will know that it is President Obama speaking." (Request at 6, "Advertisement 2.")
- An advertisement using the voice of the President's press secretary, on the theory that this cannot be taken as a clear reference to the President himself. (Request at 6-7, "Advertisement 3.")
- An advertisement referring to "Obamacare," on the theory that the use of the President's name when describing the landmark health reform legislation he signed into law is not a clear reference to the President. (Request at 8-9, "Advertisement 7.")
- An advertisement referring to "Romneycare," on the theory that the use of Governor Romney's name to describe health reform legislation he signed into law as governor of Massachusetts is not a clear reference to Governor Romney. (Request at 11, "Advertisement 8.")

The law does not take such a crabbed view of what it means to refer to a "clearly identified candidate." A candidate is "clearly identified" not only when his name, photograph or drawing appears, but also when his identity "is apparent by unambiguous reference." 2 U.S.C. § 431(18); *accord* 11 C.F.R. § 100.17. The context of the reference matters. For example, in a position repeatedly advanced through enforcement and litigation, the Commission has held that a communication saying "Vote Republican" or "Vote Democratic" in a single-candidate special election refers to a clearly identified candidate. *See, e.g.,* Advisory Opinion 1998-9.

Moreover, when it wrote the electioneering communications laws, Congress was aware of the Commission's "well-established body of law" on references to a clearly identified candidate, and it neither narrowed nor changed that law. *See* Electioneering Communications, 67 Fed. Reg. 65,190, 65,192 (2002). Thus, when deciding whether to create an exemption for ads that referred to the popular name of legislation -- like "McCain-Feingold," "Sarbanes-Oxley," or "Romneycare" -- the Commission concluded that it lacked the authority to do so. *See id.* at 65,200-01. It looked to its long history of interpreting and enforcing the "clearly identified" standard, and declined to establish exemptions that would lead to precisely the sort of evasion Requestor is looking for here. *See id.* at 65,202.

Requestor can have no genuine question of whether it will be referring to a candidate in the bulk of its proposed ads, or whether it will be "too difficult to determine the candidates" identified. Express Advocacy; Independent Expenditures; Corporate and Labor Organization Expenditures, 60 Fed. Reg. 35,292, 35,293 (1995) (clarifying, but not narrowing, the definition of "clearly identified candidate"). Requestor knows fully well who it wants to talk about, and knows fully well whom it would be understood to be "referring" to. It is, of course, President Obama -- who

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runs "the Administration" (Advertisements 1 and 5), works and lives in "the White House" (Advertisement 1), employs the White House press secretary (Advertisement 3), and who, like Governor Romney, is identified by name with legislation that is and will continue to be a major issue in the campaign (Advertisements 7 and 8).

To grant this request would allow Requestor and other such groups to run ads attacking or touting "Obamacare" or "Romneycare" before targeted voters in the very week before the election and pay for them with secret funds. The disclosure requirements for these pre-election communications – enacted by Congress, upheld by the Supreme Court, and now restored to full force by federal court decision – will have been diminished to the vanishing point. This would deprive the public yet again of its right to know "who is speaking about a candidate shortly before an election." *Citizens United v. FEC*, 130 S. Ct. 876, 915 (2010).

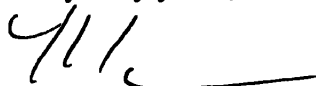
It is easy to see where this request leads once the ruling AFF seeks is applied hypothetically to ads different from the ones they propose. The ad in Exhibit 1 now ends "Tell the White House it's time for an American energy plan...that actually works for America." But on AFF's theory, the ad could conclude still more pointedly: "We can't afford a White House that does not understand America's energy needs. Call the White House: tell them its time is past". Of course, on Requestor's theory, there would be no "clearly identified candidate; no reference to such a candidate; and no disclosure of financial support. Or Exhibit 3, which ends with an appeal to the "government" to adopt the right energy plan, could close with "the government today has failed the American people on energy policy. Call the government: tell it that we have had enough". Or Exhibit 7, with its reference to "Obamacare", could end: "Happy Birthday Obamacare: enjoy it until November, when the celebration will be over."

Requestor seeks these outcomes at precisely the time when "nearly all of the independent advertising being aired for the 2012 general-election campaign has come from interest groups that do not disclose their donors ...." Dan Eggen, Most independent ads for 2012 election are from groups that don't disclose donors, WASH. POST, April 25, 2012, available at, [http://www.washingtonpost.com/politics/most-independent-ads-for-2012-election-are-from-groups-that-dont-disclose-donors/2012/04/24/gIQACKkpfT\\_print.html](http://www.washingtonpost.com/politics/most-independent-ads-for-2012-election-are-from-groups-that-dont-disclose-donors/2012/04/24/gIQACKkpfT_print.html). AFF is an example of one type of organization that thrives on hiding or misrepresenting its purpose and escaping any form of disclosure. Listing a UPS Store as its address, it told the Internal Revenue Service that it engaged in no "direct or indirect political campaign activities on behalf of or in opposition to candidates for public office" in 2008. See attached Form 990.. Yet that same year, it ran ads on the eve of multiple House and Senate elections, attacking one party's candidates while lauding the other's. See, e.g., <http://www.youtube.com/watch?v=STpAyB5y0j4&lr=1&ob=5>; [http://www.youtube.com/watch?v=PuZPofHJ4\\_k&lr=1&ob=5](http://www.youtube.com/watch?v=PuZPofHJ4_k&lr=1&ob=5). The request that AFF makes here, for a rule permitting it to refer to a candidate in fact without referring to him in law, is only its latest bid for secrecy.

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The law simply provides no basis for this outcome.. For these reasons, we ask the Commission to issue a clear response supported by law, upholding the well-established and common sense meaning of "clearly identified candidate", so that citizens may have the information they need "to hold corporations and elected officials accountable for their positions and supporters."  
*Citizens United*, 130 S. Ct. at 916.

Very truly yours,



Robert F. Bauer  
Brian G. Svoboda

Form **990**

**Return of Organization Exempt From Income Tax**

OMB No. 1545-0047

Department of the Treasury  
Internal Revenue Service

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except black lung benefit trust or private foundation)

**2008**  
Open to Public Inspection

The organization may have to use a copy of this return to satisfy state reporting requirements

**A** For the 2008 calendar year, or tax year beginning and ending

**B** Check if applicable:  Address change,  Name change,  Initial return,  Termination,  Amended return,  Application pending

**C** Name of organization: **AMERICAN FUTURE FUND**  
Doing Business As: \_\_\_\_\_  
Number and street (or P O box if mail is not delivered to street address): **4225 FLEUR DRIVE** Room/suite: **142**  
City or town, state or country, and ZIP + 4: **DES MOINES IA 50312**

**D** Employer identification number: **26-0620554**

**E** Telephone number: **515-282-3000**

**F** Name and address of principal officer: **NICOLE SCHLINGER, 4225 FLEUR DRIVE, DES MOINES IA 50312**

**G** Gross receipts \$: **7,490,608**

**H(a)** Is this a group return for affiliates?  Yes  No  
**H(b)** Are all affiliates included?  Yes  No  
If "No," attach a list (see instructions)

**I** Tax-exempt status:  501(c) ( **4** ) (insert no)  4947(a)(1) or  527

**J** Website: **www.americanfuturefund.com**

**K** Type of organization:  Corporation  Trust  Association  Other

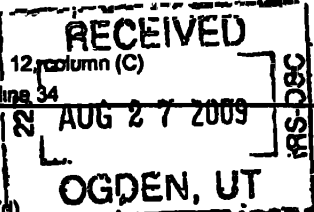
**L** Year of formation: **2007**

**M** State of legal domicile: **IA**

**H(c)** Group exemption number: \_\_\_\_\_

**Part I Summary**

Activities & Governance	1	Briefly describe the organization's mission or most significant activities <b>AMERICAN FUTURE FUND WORKS TO PROMOTE CONSERVATIVE FREE MARKET PRINCIPLES TO THE CITIZENS OF AMERICA.</b>		
	2	Check this box <input type="checkbox"/> if the organization discontinued its operations or disposed of more than 25% of its assets		
	3	Number of voting members of the governing body (Part VI, line 1a)	3	4
	4	Number of independent voting members of the governing body (Part VI, line 1b)	4	4
	5	Total number of employees (Part V, line 2a)	5	0
	6	Total number of volunteers (estimate if necessary)	6	6
	7a	Total gross unrelated business revenue from Part VIII, line 12, column (C)	7a	
	b Net unrelated business taxable income from Form 990-T, line 34	7b	0	
Revenue	8	Contributions and grants (Part VIII, line 1h)	Prior Year	Current Year
	9	Program service revenue (Part VIII, line 2g)		<b>7,480,516</b>
	10	Investment income (Part VIII, column (A), lines 3, 4, and 7c)		<b>10,092</b>
	11	Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)		
	12	Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12)		<b>7,490,608</b>
Expenses	13	Grants and similar amounts paid (Part IX, column (A), lines 1-3)		
	14	Benefits paid to or for members (Part IX, column (A), line 4)		
	15	Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10)		
	16a	Professional fundraising fees (Part IX, column (A), line 11e)		<b>609,073</b>
	b	Total fundraising expenses (Part IX, column (D), line 25) <b>836,980</b>		
	17	Other expenses (Part IX, column (A), lines 11a-11d, 11f-24f)		<b>5,722,876</b>
18	Total expenses Add lines 13-17 (must equal Part IX, column (A), line 25)		<b>6,331,949</b>	
19	Revenue less expenses. Subtract line 17 from line 12		<b>1,158,659</b>	
Net Assets or Fund Balances	20	Total assets (Part X, line 16)	Beginning of Year	End of Year
	21	Total liabilities (Part X, line 26)		<b>1,158,659</b>
	22	Net assets or fund balances Subtract line 21 from line 20		<b>0</b>



**Part II Signature Block**

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Sign Here: Signature of officer: **SANDY GREINER** (Sandy Greiner) TREASURER Date: **8-17-09**

Preparer's signature: **[Signature]** Date: **8/05/09** Check if self-employed:  Preparer's identifying number (see instructions): **P00460719**

Firm's name (or yours if self-employed), address, and ZIP + 4: **RENAISSANCE FINANCIAL GROUP, 320 N Main St. Ste 104, Ann Arbor, MI 48104-1467** EIN: **38-3304893** Phone no: **734-994-1288**

May the IRS discuss this return with the preparer shown above? (see instructions)  Yes  No

DAA For Privacy Act and Paperwork Reduction Act Notice, see the separate instructions.

Form 990 (2008)

SCANNED SEP 2 2009

912  
13

**Part III Statement of Program Service Accomplishments (see instructions)**

1 Briefly describe the organization's mission

**AMERICAN FUTURE FUND WORKS TO PROMOTE CONSERVATIVE FREE MARKET PRINCIPLES TO THE CITIZENS OF AMERICA.**

2 Did the organization undertake any significant program services during the year which were not listed on the prior Form 990 or 990-EZ?  Yes  No

If "Yes," describe these new services on Schedule O.

3 Did the organization cease conducting, or make significant changes in how it conducts, any program services?  Yes  No

If "Yes," describe these changes on Schedule O

4 Describe the exempt purpose achievements for each of the organization's three largest program services by expenses. Section 501(c)(3) and 501(b)(4) organizations and section 4947(a)(1) trusts are required to report the amount of grants and allocations to others, the total expenses, and revenue, if any, for each program service reported.

4a (Code: ) (Expenses \$ **5,494,969** including grants of \$ ) (Revenue \$ )

**THE ORGANIZATION'S PRIMARY EXEMPT PURPOSE IS TO EDUCATE AND ADVOCATE FOR CONSERVATIVE AND FREE MARKET IDEAS. THIS WAS ACHIEVED BY PROVIDING THE AMERICAN PEOPLE A MECHANISM TO COMMUNICATE AND ADVOCATE ON THE ISSUES THAT MOST INTEREST AND CONCERN THEM. THE ORGANIZATION GENERATED MATERIALS FOR PUBLIC DISTRIBUTION, PARTICIPATED IN FORUMS, ANALYZED LEGISLATION, AND THROUGH NATIONAL AND LOCAL MEDIA EDUCATED THE AMERICAN PEOPLE ON TAXES, ENERGY SECURITY AND INDEPENDENCE, AND CHOICE IN EDUCATION.**

4b (Code: ) (Expenses \$ including grants of \$ ) (Revenue \$ )

4c (Code: ) (Expenses \$ including grants of \$ ) (Revenue \$ )

4d Other program services (Describe in Schedule O)

(Expenses \$ including grants of \$ ) (Revenue \$ )

4e Total program service expenses ▶ \$ **5,494,969** (Must equal Part IX, Line 25, column (B))

**Part IV Checklist of Required Schedules**

	Yes	No
1 Is the organization described in section 501(c)(3) or 4947(a)(1) (other than a private foundation)? If "Yes," complete Schedule A		X
2 Is the organization required to complete Schedule B, Schedule of Contributors?	X	
3 Did the organization engage in direct or indirect political campaign activities on behalf of or in opposition to candidates for public office? If "Yes," complete Schedule C, Part I		X
4 Section 501(c)(3) organizations. Did the organization engage in lobbying activities? If "Yes," complete Schedule C, Part II		
5 Section 501(c)(4), 501(c)(5), and 501(c)(6) organizations. Is the organization subject to the section 6033(e) notice and reporting requirement and proxy tax? If "Yes," complete Schedule C, Part III		X
6 Did the organization maintain any donor advised funds or any accounts where donors have the right to provide advice on the distribution or investment of amounts in such funds or accounts? If "Yes," complete Schedule D, Part I		X
7 Did the organization receive or hold a conservation easement, including easements to preserve open space, the environment, historic land areas, or historic structures? If "Yes," complete Schedule D, Part II		X
8 Did the organization maintain collections of works of art, historical treasures, or other similar assets? If "Yes," complete Schedule D, Part III		X
9 Did the organization report an amount in Part X, line 21; serve as a custodian for amounts not listed in Part X, or provide credit counseling, debt management, credit repair, or debt negotiation services? If "Yes," complete Schedule D, Part IV		X
10 Did the organization hold assets in term, permanent, or quasi-endowments? If "Yes," complete Schedule D, Part V		X
11 Did the organization report an amount in Part X, lines 10, 12, 13, 15, or 25? If "Yes," complete Schedule D, Parts VI, VII, VIII, IX, or X as applicable		X
12 Did the organization receive an audited financial statement for the year for which it is completing this return that was prepared in accordance with GAAP? If "Yes," complete Schedule D, Parts XI, XII, and XIII		X
13 Is the organization a school described in section 170(b)(1)(A)(ii)? If "Yes," complete Schedule E		X
14a Did the organization maintain an office, employees, or agents outside of the U.S.?		X
b Did the organization have aggregate revenues or expenses of more than \$10,000 from grantmaking, fundraising, business, and program service activities outside the U.S.? If "Yes," complete Schedule F, Part I		X
15 Did the organization report on Part IX, column (A), line 3, more than \$5,000 of grants or assistance to any organization or entity located outside the United States? If "Yes," complete Schedule F, Part II		X
16 Did the organization report on Part IX, column (A), line 3, more than \$5,000 of aggregate grants or assistance to individuals located outside the United States? If "Yes," complete Schedule F, Part III		X
17 Did the organization report more than \$15,000 on Part IX, column (A), line 11e? If "Yes," complete Schedule G, Part I	X	
18 Did the organization report more than \$15,000 total on Part VIII, lines 1c and 8a? If "Yes," complete Schedule G, Part II		X
19 Did the organization report more than \$15,000 on Part VIII, line 9a? If "Yes," complete Schedule G, Part III		X
20 Did the organization operate one or more hospitals? If "Yes," complete Schedule H		X
21 Did the organization report more than \$5,000 on Part IX, column (A), line 1? If "Yes," complete Schedule I, Parts I and II		X
22 Did the organization report more than \$5,000 on Part IX, column (A), line 2? If "Yes," complete Schedule I, Parts I and III		X
23 Did the organization answer "Yes" to Part VII, Section A, questions 3, 4, or 5? If "Yes," complete Schedule J		X
24a Did the organization have a tax-exempt bond issue with an outstanding principal amount of more than \$100,000 as of the last day of the year, that was issued after December 31, 2002? If "Yes," answer questions 24b-24d and complete Schedule K. If "No," go to question 25		X
b Did the organization invest any proceeds of tax-exempt bonds beyond a temporary period exception?		
c Did the organization maintain an escrow account other than a refunding escrow at any time during the year to defease any tax-exempt bonds?		
d Did the organization act as an "on behalf of" issuer for bonds outstanding at any time during the year?		
25a Section 501(c)(3) and 501(c)(4) organizations. Did the organization engage in an excess benefit transaction with a disqualified person during the year? If "Yes," complete Schedule L, Part I		X
b Did the organization become aware that it had engaged in an excess benefit transaction with a disqualified person from a prior year? If "Yes," complete Schedule L, Part I		X
26 Was a loan to or by a covered or former officer, director, trustee, key employee, highly compensated employee, or disqualified person outstanding as of the end of the organization's tax year? If "Yes," complete Schedule L, Part II		X
27 Did the organization provide a grant or other assistance to an officer, director, trustee, key employee, or substantial contributor, or to a person related to such an individual? If "Yes," complete Schedule L, Part III		X

**Part IV Checklist of Required Schedules (continued)**

	Yes	No
28 During the tax year, did any person who is a current or former officer, director, trustee, or key employee:		
a Have a direct business relationship with the organization (other than as an officer, director, trustee, or employee), or an indirect business relationship through ownership of more than 35% in another entity (individually or collectively with other person(s) listed in Part VII, Section A)? If "Yes," complete Schedule L, Part IV		X
b Have a family member who had a direct or indirect business relationship with the organization? If "Yes," complete Schedule L, Part IV		X
c Serve as an officer, director, trustee, key employee, partner, or member of an entity (or a shareholder of a professional corporation) doing business with the organization? If "Yes," complete Schedule L, Part IV		X
29 Did the organization receive more than \$25,000 in non-cash contributions? If "Yes," complete Schedule M		X
30 Did the organization receive contributions of art, historical treasures, or other similar assets, or qualified conservation contributions? If "Yes," complete Schedule M		X
31 Did the organization liquidate, terminate, or dissolve and cease operations? If "Yes," complete Schedule N, Part I		X
32 Did the organization sell, exchange, dispose of, or transfer more than 25% of its net assets? If "Yes," complete Schedule N, Part II		X
33 Did the organization own 100% of an entity disregarded as separate from the organization under Regulations sections 301.7701-2 and 301.7701-3? If "Yes," complete Schedule R, Part I		X
34 Was the organization related to any tax-exempt or taxable entity? If "Yes," complete Schedule R, Parts II, III, IV, and V, line 1		X
35 Is any related organization a controlled entity within the meaning of section 512(b)(13)? If "Yes," complete Schedule R, Part V, line 2		X
36 Section 501(c)(3) organizations. Did the organization make any transfers to an exempt non-charitable related organization? If "Yes," complete Schedule R, Part V, line 2		
37 Did the organization conduct more than 5% of its activities through an entity that is not a related organization and that is treated as a partnership for federal income tax purposes? If "Yes," complete Schedule R, Part VI		X



**Part V** Statements Regarding Officer IRS Filings and Tax Compliance

		Yes	No
1a	Enter the number reported in Box 3 of Form 1096, Annual Summary and Transmittal of U S Information Returns Enter -0- if not applicable		
	1a	39	
b	Enter the number of Forms W-2G included in line 1a Enter -0- if not applicable		
	1b	0	
c	Did the organization comply with backup withholding rules for reportable payments to vendors and reportable gaming (gambling) winnings to prize winners?		X
2a	Enter the number of employees reported on Form W-3, Transmittal of Wage and Tax Statements, filed for the calendar year ending with or within the year covered by this return		
	2a	0	
b	If at least one is reported on line 2a, did the organization file all required federal employment tax returns? Note. If the sum of lines 1a and 2a is greater than 250, you may be required to e-file this return (see instructions)		
	2b		
3a	Did the organization have unrelated business gross income of \$1,000 or more during the year covered by this return?		X
b	If "Yes," has it filed a Form 990-T for this year? If "No," provide an explanation in Schedule O		
	3b		
4a	At any time during the calendar year, did the organization have an interest in, or a signature or other authority over, a financial account in a foreign country (such as a bank account, securities account, or other financial account)?		X
b	If "Yes," enter the name of the foreign country: See the instructions for exceptions and filing requirements for Form TD F 90-22.1, Report of Foreign Bank and Financial Accounts.		
	4a		
5a	Was the organization a party to a prohibited tax shelter transaction at any time during the tax year?		X
b	Did any taxable party notify the organization that it was or is a party to a prohibited tax shelter transaction?		X
c	If "Yes," in question 5b, did the organization file Form 8886-T, Disclosure by Tax-Exempt Entity Regarding Prohibited Tax Shelter Transaction?		
	5c		
6a	Did the organization solicit any contributions that were not tax deductible?	X	
b	If "Yes," did the organization include with every solicitation an express statement that such contributions or gifts were not tax deductible?	X	
7	Organizations that may receive deductible contributions under section 170(c).		
a	Did the organization provide goods or services in exchange for any quid pro quo contribution of more than \$75?		X
b	If "Yes," did the organization notify the donor of the value of the goods or services provided?		
	7b		
c	Did the organization sell, exchange, or otherwise dispose of tangible personal property for which it was required to file Form 8882?		X
	7c		
d	If "Yes," indicate the number of Forms 8882 filed during the year		
	7d		
e	Did the organization, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?		X
	7e		
f	Did the organization, during the year, pay premiums, directly or indirectly, on a personal benefit contract?		X
	7f		
g	For all contributions of qualified intellectual property, did the organization file Form 8899 as required?		X
	7g		
h	For contributions of cars, boats, airplanes, and other vehicles, did the organization file a Form 1098-C as required?		X
	7h		
8	Section 501(c)(3) and other sponsoring organizations maintaining donor advised funds and section 509(a)(3) supporting organizations. Did the supporting organization, or a fund maintained by a sponsoring organization, have <del>any</del> business holdings at any time during the year?		
	8		
9	Section 501(c)(3) and other sponsoring organizations maintaining donor advised funds.		
a	Did the organization make any taxable distributions under section 4966?		
	9a		
b	Did the organization make a distribution to a donor, donor advisor, or related person?		
	9b		
10	Section 501(c)(7) organizations. Enter		
a	Initiation fees and capital contributions included on Part VIII, line 12		
	10a		
b	Gross receipts, included on Form 990, Part VIII, line 12, for public use of club facilities		
	10b		
11	Section 501(c)(12) organizations. Enter.		
a	Gross income from members or shareholders		
	11a		
b	Gross income from other sources (Do not net amounts due or paid to other sources against amounts due or received from them.)		
	11b		
12a	Section 4947(a)(1) non-exempt charitable trusts. Is the organization filing Form 990 in lieu of Form 1041?		
	12a		
b	If "Yes," enter the amount of tax-exempt interest received or accrued during the year		
	12b		

**Part VI Governance, Management, and Disclosure** (Sections A, B, and C request information about policies not required by the Internal Revenue Code.)

**Section A. Governing Body and Management**

		Yes	No
For each "Yes" response to lines 2-7b below, and for a "No" response to lines 8 or 9b below, describe the circumstances, processes, or changes in Schedule O. See instructions.			
1a	Enter the number of voting members of the governing body		
1b	Enter the number of voting members that are independent		
2	Did any officer, director, trustee, or key employee have a family relationship or a business relationship with any other officer, director, trustee, or key employee?		X
3	Did the organization delegate control over management duties customarily performed by or under the direct supervision of officers, directors or trustees, or key employees to a management company or other person?		X
4	Did the organization make any significant changes to its organizational documents since the prior Form 990 was filed?		X
5	Did the organization become aware during the year of a material omission of the organization's assets?		X
6	Does the organization have members or stockholders?		X
7a	Does the organization have members, stockholders, or other persons who may elect one or more members of the governing body?		X
7b	Are any decisions of the governing body subject to approval by members, stockholders, or other persons?		X
8	Did the organization contemporaneously document the meetings held or written actions undertaken during the year by the following:		
8a	The governing body?	X	
8b	Each committee with authority to act on behalf of the governing body?	X	
9a	Does the organization have local chapters, branches, or affiliates?		X
9b	If "Yes," does the organization have written policies and procedures governing the activities of such chapters, affiliates, and branches to ensure their operations are consistent with those of the organization?		
10	Was a copy of the Form 990 provided to the organization's governing body before it was filed? All organizations must describe in Schedule O the process, if any, the organization uses to review the Form 990	X	
11	Is there any officer, director or trustee, or key employee listed in Part VII, Section A, who cannot be reached at the organization's mailing address? If "Yes," provide the names and addresses in Schedule O		X

**Section B. Policies**

		Yes	No
12a	Does the organization have a written conflict of interest policy? If "No," go to line 13	X	
12b	Are officers, directors or trustees, and key employees required to disclose annually interests that could give rise to conflicts?		X
12c	Does the organization regularly and consistently monitor and enforce compliance with the policy? If "Yes," describe in Schedule O how this is done		X
13	Does the organization have a written whistleblower policy?		X
14	Does the organization have a written document retention and destruction policy?		X
15	Did the process for determining compensation of the following persons include a review and approval by independent persons, comparability data, and contemporaneous substantiation of the deliberation and decision:		
15a	The organization's CEO, Executive Director, or top management official?		X
15b	Other officers or key employees of the organization? Describe the process in Schedule O (see instructions)		X
16a	Did the organization invest in, contribute assets to, or participate in a joint venture or a similar arrangement with a taxable entity during the year?		X
16b	If "Yes," has the organization adopted a written policy or procedure requiring the organization to evaluate its participation in joint venture arrangements under applicable federal tax law, and taken steps to safeguard the organization's exempt status with respect to such arrangements?		

**Section C. Disclosure**

- 17 List the states with which a copy of this Form 990 is required to be filed **None**
- 18 Section 6104 requires an organization to make its Form 1023 (or 1024 if applicable), 990, and 990-T (501(c)(3)s only) available for public inspection. Indicate how you make these available. Check all that apply.  
 Own website  Another's website  Upon request
- 19 Describe in Schedule O whether (and if so, how), the organization makes its governing documents, conflict of interest policy, and financial statements available to the public
- 20 State the name, physical address, and telephone number of the person who possesses the books and records of the organization **AMERICAN FUTURE FUND** **4225 FLEUR DRIVE, # 142**

**DESMOINTE**

**IA 50312**

**515-720-5250**

**Part VII Compensation of Officers, Directors, Trustees, Key Employees, Highest Compensated Employees, and Independent Contractors**

**Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees**

1a Complete this table for all persons required to be listed. Use Schedule J-2 if additional space is needed.

- List all of the organization's current officers, directors, trustees (whether individuals or organizations), regardless of amount of compensation, and current key employees. Enter -0- in columns (D), (E), and (F) if no compensation was paid.
- List the organization's five current highest compensated employees (other than an officer, director, trustee, or key employee) who received reportable compensation (Box 5 of Form W-2 and/or Box 7 of Form 1099-MISC) of more than \$100,000 from the organization and any related organizations.
- List all of the organization's former officers, key employees, and highest compensated employees who received more than \$100,000 of reportable compensation from the organization and any related organizations.
- List all of the organization's former directors or trustees that received, in the capacity as a former director or trustee of the organization, more than \$10,000 of reportable compensation from the organization and any related organizations.

List persons in the following order: individual trustees or directors; institutional trustees; officers; key employees; highest compensated employees; and former such persons.

Check this box if the organization did not compensate any officer, director, trustee, or key employee.

(A) Name and Title	(B) Average hours per week	(C) Position (check all that apply)					(D) Reportable compensation from the organization (W-2/1099-MISC)	(E) Reportable compensation from related organizations (W-2/1099-MISC)	(F) Estimated amount of other compensation from the organization and related organizations
		Individual trustee or director	Institutional trustee	Officer	Key employee	Highest compensated employee			
<b>NICOLE SCHLINGER</b> <b>PRESIDENT</b>	<b>1</b>	<b>X</b>					<b>0</b>	<b>0</b>	<b>0</b>
<b>SANDRA GREINER</b> <b>TREASURER</b>	<b>10</b>	<b>X</b>					<b>0</b>	<b>0</b>	<b>0</b>
<b>BARBARA SMELTZER</b> <b>SECRETARY</b>	<b>1</b>	<b>X</b>					<b>0</b>	<b>0</b>	<b>0</b>
<b>CORD OVERTON</b> <b>YOUTH OUTR.</b>	<b>1</b>	<b>X</b>					<b>0</b>	<b>0</b>	<b>0</b>



**Part VIII Statement of Revenue**

		(A) Total revenue	(B) Related or exempt function revenue	(C) Unrelated business revenue	(D) Revenue excluded from tax under sections 512, 513, or 514	
<b>Contributions, gifts, grants and other similar amounts</b>	1a Federated campaigns	1a				
	1b Membership dues	1b				
	1c Fundraising events	1c				
	1d Related organizations	1d				
	1e Government grants (contributions)	1e				
	1f All other contributions, gifts, grants, and similar amounts not included above	1f <b>7,480,516</b>				
	g Noncash contributions included in lines 1a-1f \$					
	h <b>Total. Add lines 1a-1f</b>		<b>7,480,516</b>			
<b>Program Service Revenue</b>	2a	Busn. Code				
	b					
	c					
	d					
	e					
	f All other program service revenue					
	g <b>Total. Add lines 2a-2f</b>					
<b>Other Revenue</b>	3 Investment income (including dividends, interest, and other similar amounts)		<b>10,092</b>	<b>10,092</b>		
	4 Income from investment of tax-exempt bond proceeds					
	5 Royalties					
	6a Gross Rents	(i) Real				
		(ii) Personal				
		b Less: rental exps				
	c Rental inc or (loss)					
	d <b>Net rental income or (loss)</b>					
	7a Gross amount from sales of assets other than inventory	(i) Securities				
		(ii) Other				
		b Less cost or other basis & sales exps				
		c <b>Gain or (loss)</b>				
	d <b>Net gain or (loss)</b>					
	8a Gross income from fundraising events (not including \$ of contributions reported on line 1c) See Part IV, line 18	a				
	b Less: direct expenses	b				
c <b>Net income or (loss) from fundraising events</b>						
9a Gross income from gaming activities See Part IV, line 19	a					
b Less: direct expenses	b					
c <b>Net income or (loss) from gaming activities</b>						
10a Gross sales of inventory, less returns and allowances	a					
b Less: cost of goods sold	b					
c <b>Net income or (loss) from sales of inventory</b>						
<b>Miscellaneous Revenue</b>		Busn. Code				
11a						
b						
c						
d All other revenue						
e <b>Total. Add lines 11a-11d</b>						
12 <b>Total Revenue. Add lines 1h, 2g, 3, 4, 5, 6d, 7d, 8c, 9c, 10c, and 11e</b>		<b>7,490,608</b>	<b>10,092</b>	<b>0</b>	<b>0</b>	

**Part IX Statement of Functional Expenses**

Section 501(c)(3) and 501(c)(4) organizations must complete all columns.  
 All other organizations must complete column (A) but are not required to complete columns (B), (C), and (D).

Do not include amounts reported on lines 6b, 7b, 8b, 9b, and 10b of Part VIII.	(A) Total expenses	(B) Program service expenses	(C) Management and general expenses	(D) Fundraising expenses
1 Grants and other assistance to governments and organizations in the U S See Part IV, line 21				
2 Grants and other assistance to individuals in the U S See Part IV, line 22				
3 Grants and other assistance to governments, organizations, and individuals outside the U S See Part IV, lines 15 and 16				
4 Benefits paid to or for members				
5 Compensation of current officers, directors, trustees, and key employees				
6 Compensation not included above, to disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B)				
7 Other salaries and wages				
8 Pension plan contributions (include section 401(k) and section 403(b) employer contributions)				
9 Other employee benefits				
10 Payroll taxes				
11 Fees for services (non-employees):				
a Management				
b Legal	192,507	158,363		34,144
c Accounting				
d Lobbying				
e Professional fundraising services See Part IV, line 17	609,073			609,073
f Investment management fees				
g Other	742,241	595,348		146,893
12 Advertising and promotion	4,566,004	4,564,206		1,798
13 Office expenses	101,896	97,622		4,274
14 Information technology	93,218	67,856		25,362
15 Royalties				
16 Occupancy				
17 Travel	17,860	11,574		6,286
18 Payments of travel or entertainment expenses for any federal, state, or local public officials				
19 Conferences, conventions, and meetings	9,150			9,150
20 Interest				
21 Payments to affiliates				
22 Depreciation, depletion, and amortization				
23 Insurance				
24 Other expenses Itemize expenses not covered above (Expenses grouped together and labeled miscellaneous may not exceed 5% of total expenses shown on line 25 below.)				
a				
b				
c				
d				
e				
f All other expenses				
25 Total functional expenses. Add lines 1 through 24f	6,331,949	5,494,969		836,980
26 Joint Costs. Check here <input type="checkbox"/> if following SOP 98-2 Complete this line only if the organization reported in column (B) joint costs from a combined educational campaign and fundraising solicitation				

**Part X Balance Sheet**

		(A) Beginning of year	(B) End of year
<b>Assets</b>	1 Cash—non-interest bearing		1,158,659
	2 Savings and temporary cash investments		
	3 Pledges and grants receivable, net		
	4 Accounts receivable, net		
	5 Receivables from current and former officers, directors, trustees, key employees, or other related parties. Complete Part II of Schedule L		
	6 Receivables from other disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B) Complete Part II of Schedule L		
	7 Notes and loans receivable, net		
	8 Inventories for sale or use		
	9 Prepaid expenses and deferred charges		
	10a Land, buildings, and equipment, cost basis	10a	
	b Less: accumulated depreciation. Complete Part VI of Schedule D	10b	10c
	11 Investments—publicly traded securities		
	12 Investments—other securities. See Part IV, line 11		
	13 Investments—program-related See Part IV, line 11		
	14 Intangible assets		
	15 Other assets See Part IV, line 11		
16 Total assets. Add lines 1 through 15 (must equal line 34)	0	1,158,659	
<b>Liabilities</b>	17 Accounts payable and accrued expenses		
	18 Grants payable		
	19 Deferred revenue		
	20 Tax-exempt bond liabilities		
	21 Escrow account liability Complete Part IV of Schedule D		
	22 Payables to current and former officers, directors, trustees, key employees, highest compensated employees, and disqualified persons. Complete Part II of Schedule L		
	23 Secured mortgages and notes payable to unrelated third parties		
	24 Unsecured notes and loans payable		
	25 Other liabilities Complete Part X of Schedule D		
	26 Total liabilities. Add lines 17 through 25	0	
<b>Net Assets or Fund Balances</b>	Organizations that follow SFAS 117, check here <input checked="" type="checkbox"/> and complete lines 27 through 29, and lines 33 and 34.		
	27 Unrestricted net assets		1,158,659
	28 Temporarily restricted net assets		
	29 Permanently restricted net assets		
	Organizations that do not follow SFAS 117, check here <input type="checkbox"/> and complete lines 30 through 34.		
	30 Capital stock or trust principal, or current funds		
	31 Paid-in or capital surplus, or land, building, or equipment fund		
	32 Retained earnings, endowment, accumulated income, or other funds		
33 Total net assets or fund balances	0	1,158,659	
34 Total liabilities and net assets/fund balances	0	1,158,659	

**Part XI Financial Statements and Reporting**

- 1 Accounting method used to prepare the Form 990  Cash  Accrual  Other
- 2a Were the organization's financial statements compiled or reviewed by an independent accountant?
- b Were the organization's financial statements audited by an independent accountant?
- c If "Yes" to lines 2a or 2b, does the organization have a committee that assumes responsibility for oversight of the audit, review, or compilation of its financial statements and selection of an independent accountant?
- 3a As a result of a federal award, was the organization required to undergo an audit or audits as set forth in the Single Audit Act and OMB Circular A-133?
- b If "Yes," did the organization undergo the required audit or audits?

	Yes	No
2a		X
2b		X
2c		
3a		
3b		

**SCHEDULE O**  
**(Form 990)**

Department of the Treasury  
Internal Revenue Service

**Supplemental Information to Form 990**

▶ Attach to Form 990. To be completed by organizations to provide additional information for responses to specific questions for the Form 990 or to provide any additional information.

OMB No 1545-0047

**2008**

Open to Public  
Inspection

Name of the organization

**AMERICAN FUTURE FUND**

Employer identification number

**26-0620554**

**Form 990, Part VI, Line 10 - Organization's Process Used to Review Form 990**  
**THE BOARD OF DIRECTORS REVIEW AND UPON THEIR APPROVAL IT IS SIGNED BY THE**  
**BOARD PRESIDENT AND FILED.**



Form **8868**

(Rev. April 2009)

Department of the Treasury  
Internal Revenue Service

### Application for Extension of Time To File an Exempt Organization Return

OMB No 1545-1709

▶ File a separate application for each return.

- If you are filing for an Automatic 3-Month Extension, complete only Part I and check this box
- If you are filing for an Additional (Not Automatic) 3-Month Extension, complete only Part II (on page 2 of this form).

Do not complete Part II unless you have already been granted an automatic 3-month extension on a previously filed Form 8868

**Part I Automatic 3-Month Extension of Time. Only submit original (no copies needed).**

A corporation required to file Form 990-T and requesting an automatic 6-month extension—check this box and complete Part I only

All other corporations (including 1120-C filers), partnerships, REMICs, and trusts must use Form 7004 to request an extension of time to file income tax returns.

**Electronic Filing (e-file).** Generally, you can electronically file Form 8868 if you want a 3-month automatic extension of time to file one of the returns noted below (6 months for a corporation required to file Form 990-T). However, you cannot file Form 8868 electronically if (1) you want the additional (not automatic) 3-month extension or (2) you file Forms 990-BL, 6069, or 8870, group returns, or a composite or consolidated Form 990-T. Instead, you must submit the fully completed and signed page 2 (Part II) of Form 8868. For more details on the electronic filing of this form, visit [www.irs.gov/efile](http://www.irs.gov/efile) and click on e-file for Charities & Nonprofits.

Type or print	Name of Exempt Organization <b>AMERICAN FUTURE FUND</b>	Employer identification number <b>25-0620554</b>
File by the due date for filing your return. See instructions	Number, street, and room or suite no. If a P O box, see instructions <b>4225 FLEUR DRIVE 142</b>	
	City, town or post office, state, and ZIP code. For a foreign address, see instructions <b>DES MOINES IA 50312</b>	

Check type of return to be filed (file a separate application for each return):

- |  |  |                                    |
|--|--|------------------------------------|
| <input checked="" type="checkbox"/> Form 990 | <input type="checkbox"/> Form 990-T (corporation)                | <input type="checkbox"/> Form 4720 |
| <input type="checkbox"/> Form 990-BL         | <input type="checkbox"/> Form 990-T (sec 401(a) or 408(a) trust) | <input type="checkbox"/> Form 5227 |
| <input type="checkbox"/> Form 990-EZ         | <input type="checkbox"/> Form 990-T (trust other than above)     | <input type="checkbox"/> Form 6069 |
| <input type="checkbox"/> Form 990-PF         | <input type="checkbox"/> Form 1041-A                             | <input type="checkbox"/> Form 8870 |

- The books are in the care of ▶ **AMERICAN FUTURE FUND**

Telephone No ▶ **515-720-5250** FAX No ▶

- If the organization does not have an office or place of business in the United States, check this box
- If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) \_\_\_\_\_ If this is for the whole group, check this box . If it is for part of the group, check this box  and attach a list with the names and EINs of all members the extension will cover

1 I request an automatic 3-month (6 months for a corporation required to file Form 990-T) extension of time until **8/17/09**, to file the exempt organization return for the organization named above. The extension is for the organization's return for  
 ▶  calendar year **2008** or  
 ▶  tax year beginning \_\_\_\_\_, and ending \_\_\_\_\_

2 If this tax year is for less than 12 months, check reason  Initial return  Final return  Change in accounting period

3a If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions	3a	\$
3b If this application is for Form 990-PF or 990-T, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit	3b	\$
3c Balance Due. Subtract line 3b from line 3a. Include your payment with this form, or, if required, deposit with FTD coupon or, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions	3c	\$

Caution. If you are going to make an electronic fund withdrawal with this Form 8868, see Form 8453-EO and Form 8879-EO for payment instructions.

For Privacy Act and Paperwork Reduction Act Notice, see instructions.

Form **8868** (Rev 4-2009)